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SUBJECT: MEDVEDEV SENDS DUMA WATERED-DOWN AMENDMENTS TO NGO LAW WITH PROMISE OF MORE TO COME

Classified By: Acting Political Minister Counselor David Kostelancik; reason 1.4 (d)

¶1. (SBU) Summary: On June 17 President Medvedev sent to the Russian State Duma a packet of proposed changes to the NGO Law enacted in 2006 at the behest of then president Vladimir Putin. The proposed changes are minor -- permitting smaller NGOs to use shorter, less burdensome forms when registering with or reporting to the Ministry of Justice, reducing the number of times the Ministry of Justice can audit an NGO, and enabling applicants to make corrections to their applications found to contain mistakes. In a report dated June 17 and at press conference on June 18, Human Rights Watch blasted the proposed changes, saying that Medvedev has done little to reverse the GOR's pressure on NGO's that began under Vladimir Putin's presidency. Yuriy Dzhibladze, the only representative of Russian civil society to work on Medvedev's NGO law working group, told us that these small changes were the best for which group could hope, given that it was chaired by Presidential Administration Chief of Staff Vladislav Surkov. Dzhibladze told us that on June 26 the working group will meet again to discuss more difficult issues like registration of foreign NGOs present in Russia and taxation issues that will take longer to resolve. End Summary.

¶2. (SBU) President Medvedev introduced amendments to the existing NGO Law on June 17 that he said would make it easier for human rights groups and other non-governmental organizations to operate in Russia. The proposed law would amend a generally restrictive law enacted by the Duma three years ago by decreasing the number of documents NGOs will be required to provide, easing the registration process and limiting government audits to once every three years, as is the case with commercial organizations. Medvedev publicly called the existing regulations on registration of NGOs a "burden."

¶3. (SBU) The legislation proposed by Medvedev was produced by a special working group, under the direction of Presidential Administration Chief of Staff Vladislav Surkov, created on April 15 by presidential decree. The group had been tasked with providing its recommendations to Medvedev by June 5. Yuriy Dzhibladze, founder and president of the Moscow-based Center for the Development of Democracy and Human Rights, was the only representative of Russian civil society who participated in the working group. Dzhibladze told us June 9 that during the group's deliberations Surkov had favored only small changes to the existing laws on NGOs. Dzhibladze said that he and others agreed to these small initial changes because Surkov promised that more changes would be discussed at subsequent meetings of the working group. On June 9 he had wondered openly if the group would ever meet again because a meeting between Medvedev and the entire Presidential Committee for the Development of Human Rights and Civil Society headed by Ella Pamfilova originally scheduled for that same week had been canceled, rather than simply postponed.

¶4. (C) After participating in a press conference sponsored by Human Rights Watch to discuss its recent report on civil society in Russia, Dzhibladze explained that he had been excluded from the June 17 meeting at the Kremlin at which Medvedev launched his proposal to change the laws governing NGOs. He believed Surkov was responsible for his not receiving an invitation. Undeterred, prior to the meeting he reminded Pamfilova of Surkov's promise of future deliberations and she, in turn, raised it directly with Medvedev, eliciting from him a promise that the working group will meet on June 26 to discuss further changes to the regulations covering NGOs. Medvedev told reporters that the working group would continue its work "modernizing the laws governing NGOs."

¶5. (SBU) Pamfilova and fellow working group member Yaroslav Kuzminov, rector at Moscow's Higher School of Economics, said that one of the possible issues to be discussed next would be the registration of foreign NGOs working in Russia. They added that resolution of this vexing question might not occur until 2010. Kuzminov noted, however, that the working group had already succeeded in scrapping a controversial provision that allowed the Ministry of Justice to deny registration to a foreign NGO if its purpose was to "threaten the national unity, uniqueness and cultural heritage of the Russian Federation." Lyudmila Alekseyeva, a prominent human rights advocate and head of the Moscow Helsinki Group, said that these were "reasonable amendments to an unreasonable law" and agreed with Medvedev's assertion that if enacted they would make it easier for NGOs to work in Russia.

MOSCOW 00001620 002 OF 002

Comment

¶6. (C) The initial response in the human rights and NGO community has not been without criticism. Prior to Medvedev's announcement of the proposed changes, some in the NGO community here had complained that they did not go far enough. In its report issued the same day as Medvedev's announcement, Human Rights Watch claimed that the new streamlined registration procedures would affect only one-third of Russian NGOs -- those whose annual budgets are less than three million rubles (approximately USD 100,000). Medvedev believed that such small organizations constitute 90 percent of Russian NGOs. Medvedev's promise that the working group will continue its deliberations is significant, particularly if it was obtained by Pamfilova without the prior consent of Surkov. Dzhibladze told us earlier that Pamfilova did not like working under Surkov's "direction," and this may mean that the future work of the group may be a test of wills between the two.

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